



Town of Tyngsborough
Planning Board
25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 115

MINUTES
September 19, 2013
APPROVED

Attachments:

1. Meeting Agenda
2. David E. Ross Associates Letter regarding 1 Demauro Dr. – 7/31/13
3. Tyngsborough Town Department Comments for 1 Demauro Dr.
4. 1 Demauro Dr. Revised Floor Plan – 8/12/13
5. David E. Ross Associates Letter regarding 34 Mission Rd. – 8/13/13
6. Tyngsborough Town Department Comments for 34 Mission Rd.
7. 34 Mission Rd. Revised Floor Plan – 9/19/13
8. 7 Roy Ave. T.I.L.Q. Application – 7/31/13
9. David E. Ross Associates Letter regarding 7 Roy Ave. – 9/4/13
10. Tyngsborough Town Department Comments for 7 Roy Ave.
11. Homeowner's letter addressing comments – 9/13/13

Members Present: Bill Gramer, Chairman
Kimberly O'Brien, Vice Chairman
Steve Nocco
Tom Delmore
Jesse Johnson, David E. Ross Associates

Members Absent: Steve O'Neill

7:00pm - Meeting called to order by T. Delmore

7:02pm - Planning Board Reorganization

S. Nocco: Motion to nominate William Gramer for Chairman

K. OBrien: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

W. Gramer: Motion to nominate Kimberly O'Brien for Vice Chairman

S. Nocco: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

7:05pm - 1 Demauro Dr. (M27, P37A, L2) – Special Permit application to construct a Temporary Independent Living Quarters in accordance with Tyngsborough Zoning By-Law Section 4.15.00. Continued from August 15, 2013.

Homeowner Michael Kourkoulakos appeared before the Board regarding this application. Mr. Kourkoulakos submitted a revised plan that included the required independent egress on the side of the addition. There were no abutters present to speak for or against this project.

S. Nocco: Motion to close the public portion of the hearing

K. O'Brien: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

S. Nocco: Motion to approve a Special Permit for a Temporary Independent Living Quarters (T.I.L.Q.) for 1 Demauro Dr. per plans dated August 13, 2013. The Planning Board finds that the proposed use:

1. Is in harmony with the purpose and intent of the By-Law.
2. Will not be detrimental or injurious to the neighborhood in which it is to take place.
3. Is appropriate for the site in question.
4. Complies with all applicable requirements of this By-Law. Including the requirements set forth in Section 4.15.30 "Decision Criteria" items #1 through #9 inclusive.

K. O'Brien: 2nd the motion

Roll Call Vote:

K. O'Brien: In Favor

S. Nocco: In Favor

W. Gramer: In Favor

T. Delmore: In Favor

S. O'Neill: Absent

Passes: 4-0-1

7:15pm - 34 Mission Rd. (M29, P3, L0) – Special Permit application to construct a Temporary Independent Living Quarters in accordance with Tyngsborough Zoning By-Law Section 4.15.00. Continued from August 15, 2013.

Homeowner Dan Belkas appeared before the Board regarding this project. No evidence had been heard at the previous hearing. Mr. Belkas received comments from Board engineer J. Johnson and submitted revised plans that address all of his concerns. The Board felt that the project would be a nice improvement. There were no abutters present to speak for or against this project.

S. Nocco: Motion to close the public portion of the hearing

K. O'Brien: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

S. Nocco: Motion to approve a Special Permit for a Temporary Independent Living Quarters (T.I.L.Q.) for 34 Mission Rd. per plans amended dated September 19, 2013.

The Planning Board finds that the proposed use:

1. Is in harmony with the purpose and intent of the By-Law.
2. Will not be detrimental or injurious to the neighborhood in which it is to take place.
3. Is appropriate for the site in question.
4. Complies with all applicable requirements of this By-Law. Including the requirements set forth in Section 4.15.30 "Decision Criteria" items #1 through #9 inclusive.

T. Delmore: 2nd the motion

Roll Call Vote:

K. O'Brien: In Favor

S. Nocco: In Favor

W. Gramer: In Favor

T. Delmore: In Favor

S. O'Neill: Absent

Passes: 4-0-1

7:30pm - 7 Roy Ave. (M26A, P151, L0) – Special Permit application to construct a Temporary Independent Living Quarters in accordance with Tyngsborough Zoning By-Law Section 4.15.00.

S. Nocco: Motion to waive the reading of the abutter list and legal notice

T. Delmore: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

Homeowner Peter St. Gelais appeared before the Board regarding this project. J. Johnson reported that all of his concerns were addressed in the revised plans submitted to the Board tonight. The Board felt that the design meets the intent of the by-law. There were no abutters present to speak for or against this project.

S. Nocco: Motion to close the public portion of the hearing

T. Delmore: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

S. Nocco: Motion to approve a Special Permit for a Temporary Independent Living Quarters (T.I.L.Q.) for 7 Roy Ave. per plans amended dated September 13, 2013. The Planning Board finds that the proposed use:

1. Is in harmony with the purpose and intent of the By-Law.
2. Will not be detrimental or injurious to the neighborhood in which it is to take place.
3. Is appropriate for the site in question.
4. Complies with all applicable requirements of this By-Law. Including the requirements set forth in Section 4.15.30 "Decision Criteria" items #1 through #9 inclusive.

T. Delmore: 2nd the motion

Roll Call Vote:

K. O'Brien: In Favor

S. Nocco: In Favor

W. Gramer: In Favor

T. Delmore: In Favor

S. O'Neill: Absent

Passes: 4-0-1

DISCUSSION

Street Acceptance Update

J. Johnson and P. Berman continue their efforts regarding the acceptance of streets. This project is an ongoing effort that involves Assistant Town Administrator Nina Nazarian and Town Administrator Michael Gilleberto with additional support from the Highway Dept. Currently the team has been working on assembling another batch of streets to be accepted at the spring 2014 Annual Town Meeting. Additionally, bond money that remains on some streets is being pursued and the Board confirmed that they will take whatever steps are necessary to proceed with pursuing the bond money associated with each street. However, they would like definitive direction from Town Counsel on these steps.

ADMINISTRATIVE

S. Nocco: Motion to approve the minutes from the August 1, 2013 meeting as written.

K. O'Brien: 2nd the motion

In Favor: 3 Opposed: 0 Abstain: 1 Absent: 1

Passes: 3-0-1-1

S. Nocco: Motion to approve the minutes from the August 15, 2013 meeting as written.

T. Delmore: 2nd the motion

In Favor: 3 Opposed: 0 Abstain: 1 Absent: 1

Passes: 3-0-1-1

7:50pm

S. Nocco: Motion to adjourn

K. O'Brien: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

Minutes respectfully submitted by
Pamela Berman